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GOOGLE, INC.

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA

11 DAVID ALMEIDA, individually and on  
behalf of all others similarly situated,

12 Plaintiff,

13 v.

14 GOOGLE, INC., a Delaware corporation; and  
15 DOES 1 through 10, inclusive,

16 Defendants.

Case No. C 08-02088 HRL

**DECLINATION TO PROCEED BEFORE  
A MAGISTRATE JUDGE AND REQUEST  
FOR REASSIGNMENT TO A UNITED  
STATES DISTRICT JUDGE**

17 **REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

18 Pursuant to Local Rule 73-1, the undersigned party hereby declines to consent to the  
19 assignment of this case to a United States Magistrate Judge for trial and disposition and hereby  
20 requests the reassignment of this case to a United States District Judge.

21 Respectfully Submitted,

22  
23 Dated: June 27, 2008

24 KEKER & VAN NEST, LLP

25  
26 By: /s/ David Silbert

27 DAVID J. SILBERT  
Attorneys for Defendant  
28 GOOGLE, INC., a Delaware corporation

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Keker & Van Nest, LLP, 710 Sansome Street, San Francisco, California 94111.

On June 27, 2008, I served the following document(s):

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT  
JUDGE**

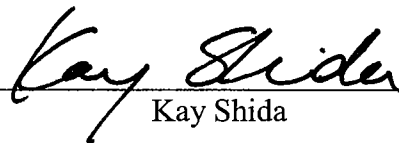
(1) By **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error; and

(2) By regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Keker & Van Nest, LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

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Executed on June 27, 2008, at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
Kay Shida